

### REMARKS

Favorable reconsideration of this application is respectfully requested in light of the following remarks, wherein Claims 1 and 10 have been amended.

Claims 1-10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,029,761 to *Bechler*. However, for the reasons provided below, *Bechler* fails to disclose the patentable features of independent Claims 1 and 10.

In particular, the holder in *Bechler* represents an arrangement used by many other manufacturers. However, there are several fundamental flaws with the *Bechler* holder and method of tip plate retention when compared to the tip holder and method of the present invention. Specifically, *Bechler* pertains to a liner wear plate for a vertical shaft impactor rotor that includes one wear resistant insert disposed in the liner along a path of wear. With reference to Fig. 3, a series of vertically oriented partitions are spaced around the rotor 16. Each partition 94 includes an arcuate circumferential or peripheral plate 98, a generally radial plate 100 and a curved pocket floor plate 102. The three elements 98, 100 and 102 are preferably integrally formed. See column 3, lines 28-40. The leading edge of the arcuate plate 98 is provided with a wear resistant bar 109 attached thereto by at least one bolt 110 in a bolt hole 111. The wear resistant bar includes a piece of hard wear resistant material 114 attached thereto.

As described above, the *Bechler* tip plate has bolt 110 and bolt hole 111 which locate through a hole of the tip plate body 109. The location hole 111 positions the bolt 110 at 90 degrees from the tip plate body, allowing it to locate through the rotor wall 98. Due to the *Bechler* design having a location fixing 110 positioned at 90 degrees to the tip plate 109, a wear plate 120 becomes necessary to protect the bolt 110 during operation, due to the effect of high pressure dust laden air being sucked into the counterbored area of the wear

plate 120. This often results in the fixings 110 and 111 having to be replaced before the tip plate 109 and insert 114 are worn out or used to their full extent

In contrast, the tip holder and method of the present invention provide a significant advantage over the prior art, and in particular, the *Bechler* holder. As now defined in independent Claims 1 and 10, the fastening means includes a threaded bar extending parallel to the first wall portion (and not at 90 degrees, as in *Bechler*). In *Bechler*, as discussed above, the threaded bolt 111 runs at 90 degrees to the first wall portion, and not parallel. As such, no wear plate is required, resulting in huge operational cost savings. It also reduces the total weight of the rotor during operation making it more efficient to operate. In addition, production time is saved, as there is no need to stop production when the bolt 110 becomes worn prior to the tip plate. Accordingly, *Bechler* fails to disclose this feature.

In addition, independent Claims 1 and 10 have been amended to define that fixing means is detachably fixable... "on an outer face of the second wall portion". This allows for fast, efficient removal of the tip plate simply by unscrewing the fixing means and impacting the end of the fixing means with a hammer. This breaks away the compacted stone held in retention within the rotor making removal extremely easy. In contrast, the fixing means 111 of *Bechler* is attached on an inner face of the tip plate body. This configuration necessitates the operator to get inside the rotor to clear away the stone within the rotor, and get a socket onto the nut 111 on the inside face (limited clearance) before being able to withdraw the bolt 110. Accordingly, *Bechler* also fails to disclose this feature.

For at least the foregoing reasons, it is submitted that the holder and method of independent Claims 1 and 10, and the claims depending therefrom, are patentably distinguishable over the applied document. Accordingly, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

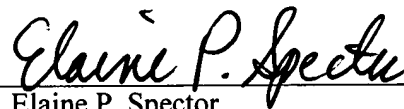
Should any questions arise in connection with this application, or should the Examiner believe a telephone conference would be helpful in solving any remaining issues pertaining to this application, the undersigned respectfully requests that she be contacted at the number indicated below.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully Submitted,

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